

**DECLARATION FOR UTILITY OR
DESIGN PATENT APPLICATION
(37 CFR 1.63)
COMBINED WITH POWER OF
ATTORNEY**

Declaration Submitted With Initial Filing **OR** Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

| | |
|--------------------------|-------------------|
| Attorney Docket Number | SC13265TP |
| First Named Inventor | Alexander L. Barr |
| COMPLETE IF KNOWN | |
| Application Number | |
| Filing Date | |
| Group Art Unit | |
| Examiner Name | |

I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SEMICONDUCTOR STRUCTURE HAVING STRAINED SEMICONDUCTOR AND METHOD THEREFOR

the specification of which:

is attached hereto

OR

was filed on: (MM/DD/YYYY) _____ as United States Application Number or PCT International Application Number _____ and was amended on (MM/DD/YYYY) _____ (*if applicable*).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed | Certified Copy Attached? |
|-------------------------------------|---------|----------------------------------|--------------------------|--|
| | | | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | | | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

| | |
|--------------------------------------|--|
| Provisional Application Serial No.: | |
| Provisional Application Filing Date: | |

I hereby claim the priority benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which is material to the patentability of this application and which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S. Application(s):

- no such application(s) filed
 such application(s) identified as follows:

| Application No. | Filing Date (MM/DD/YYYYr) | Status (Patented, Pending, Abandoned) |
|-----------------|------------------------------|--|
| | | |
| | | |

I hereby declare that: as to any claimed subject matter of this application which is common to my earlier United States or foreign application(s), if any, which I have identified above and claimed the benefit of priority thereof, I do not believe that the same was ever known or used in the United States before my invention thereof or patented or described in any printed publication in any country before my invention thereof or more than one year prior to the first of said earlier application(s), or in public use or on sale in the United States more than one year prior to the first of said earlier application(s), and that the said common subject matter has not been patented or made the subject of an inventor's certificate before the date of the first of said earlier U.S. application(s) in any country foreign to the United States on an application, filed by me or my legal representatives or assigns more than twelve months (six months if the present application is a Design patent application) prior to the first of said earlier U.S. application(s), if any; and that, as to any claimed subject matter of this application which is not common to said earlier application(s), if any, I do not know and do not believe that the same was ever known or used in the United States before my invention thereof or patented or described in any printed publication in any country before my invention thereof or more than one year prior to the date of this application, or in public use or on sale in the United States more than one year prior to the date of this application, and that said subject matter has not been patented or made the subject of an inventor's certificate in any country foreign to the United States on an application filed by me or my legal representatives or assigns more than twelve months (six months if the present application is a Design patent application) prior to the date of this application.

I hereby appoint the attorney(s) or agent(s) associated with: 23125 to prosecute this application and transact all business in the patent and trademark office connected therewith.

Address all correspondence to: **Customer Number 23125**

Attorney/Agent Name: James L. Clingan, Jr.
 Telephone: (512) 996-6839
 Facsimile: (512) 996-6839

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

A petition has been filed for this unsigned inventor.

Full Name of Sole or First Inventor: Alexander L. Barr

Inventor's Signature

Date

| | | | | |
|------------|---------------|--------------|--------------------|-------------------------------|
| Residence: | <u>Austin</u> | <u>Texas</u> | <u>78703</u> | <u>USA</u> |
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A petition has been filed for this unsigned inventor.

Full Name of Second-Joint Inventor: Dejan Jovanovic

Inventor's Signature

Date

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| Residence: | <u>Austin</u> | <u>Texas</u> | <u>78759</u> | <u>USA</u> |
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A petition has been filed for this unsigned inventor.

Full Name of Third-Joint Inventor: Bich-Yen Nguyen

Inventor's Signature

Date

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A petition has been filed for this unsigned inventor.

Full Name of Fourth-Joint Inventor: Mariam G. Sadaka

Inventor's Signature

Date

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|--------------------|--------------------|--------------------------|--------------------|

A petition has been filed for this unsigned inventor.

Full Name of Fifth-Joint Inventor: Voon-Yew Thean

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| Inventor's Signature | | Date | |
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A petition has been filed for this unsigned inventor.

Full Name of Sixth-Joint Inventor: Ted R. White

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| Inventor's Signature | | Date | |
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